

CHAPTER 8

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CHAPTER 8

TRAFFIC AND PARKING REGULATIONS

ARTICLE 1. IN GENERAL.¹

Sec. 8-1 Definitions.²

(a) Terms used in this Chapter have the meanings assigned to them in *I.C.*, 9-4-1-1 through 9-4-1-21.

(b) The following terms when used in this Chapter have the meanings set forth below:

(1) **STOP.** When required means the complete cessation from movement.

(2) **STOP OR STOPPING.** When prohibited means any halting even momentarily of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a Police Officer or traffic arterial sign or signal.

(3) **PARK OR PARKING.** The standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading merchandise. (*Code* 1968, § 41.01; *1983 Greenwood Municipal Code*, § 9-1)

Sec. 8-2 Traffic Control Signs, Signals, Devices and Markings Generally.³

(a) The list of traffic-control devices set forth at the end of this Chapter as “**Exhibit A**” as amended from time to time, is adopted by the Greenwood Common Council, and any person violating the direction of any of said signs shall be penalized as provided in Section 8-28 of this *Code*. (Ord. No. 84-18, § 1, 4-16-84)

(b) As used in subsection (a) the term **TRAFFIC-CONTROL DEVICES** shall mean signs, signals, devices or markings which:

(1) Designate through highways and order stop signs, flashing signals or yield signs erected at specified entrances thereto or designate any intersection as a stop intersection or a yield intersection;

(2) Prohibit, restrict or regulate the operation of vehicles on any controlled-access highway or the use of any controlled-access highway by any vehicle, device moved by human power or pedestrian;

¹ *I.C.*, 9-21-1-1, *et. seq.*, sets forth "Traffic Regulations."

² *I.C.*, 9-13-1-1, sets forth specific definitions.

³ *I.C.*, 9-21-4-11, requires posting of signs giving notice of local traffic regulations.

(3) Prohibit or regulate the turning of vehicles or specified types of vehicles at intersections or other designated locations;

(4) Authorize angle parking on any roadway;

(5) Upon a roadway which is divided into three (3) lanes, allocate the center lane exclusively for traffic moving in a specified direction;

(6) Designate any highway, or separate roadway thereof, for one-way traffic;

(7) Exclude trucks, commercial vehicles, tractors, tractor-trailer combinations or trucks in excess of any designated weight from designated highways;

(8) Prohibit, restrict or limit the stopping, standing or parking of vehicles;

(9) Designate no-passing zones or no changing lane zones;

(10) Designate safety zones;

(11) Establish truck routes;

(12) Prohibit, regulate or restrict the operation or the stopping, standing or parking of vehicles on any bridge or in any tunnel, or the use of any bridge or tunnel by any vehicle or device moved by human power or pedestrian;

(13) Prohibit and regulate the operation and the stopping, standing or parking of vehicles in cemeteries and in public parks;

(14) Exclude all trucks, tractors and tractor-trailer combinations in excess of any designated length from designated highways, or establish a system of truck routes upon which such vehicles and combinations are permitted to travel and operate, and exclude such vehicles and combinations from all highways except those which constitute such truck route system;

(15) Establish maximum speed limits other than the fifty-five (55) miles per hour statutory maximum speed limit, or establish minimum speed limits;

(16) Regulate the crossing of any roadway by pedestrians;

(17) Designate preferential use lanes for specific types or classes of vehicles;

(18) Otherwise regulate, guide or warn traffic.

(c) The provisions of subsection (a) shall apply only to traffic-control devices which conform to, or are not inconsistent with, the manual and specifications for uniform traffic-control devices adopted by the State Highway Commission.

(d) Every person shall obey the instructions of any traffic-control device applicable to him placed in accordance with the provisions of law, unless otherwise directed by a traffic or Police

Officer, subject to the exceptions granted the driver of an authorized emergency vehicle by law. (1983 Greenwood Municipal Code, § 9-2)

Sec. 8-3 through 8-5 Reserved for Future Use.

ARTICLE 2. TRUCK REGULATIONS.

Sec. 8-6 No Truck Turns Designated in Specific Areas.

(a) The term **TRUCK** shall mean every motor vehicle designed or used or maintained primarily for the transportation of property.

(b) The term **PERSON** shall mean every natural person, firm, partnership, association or corporation.

(c) No person shall permit the truck, when traveling north on South Madison Avenue, to turn right onto Main Street in the City of Greenwood.

(d) The City of Greenwood shall post a sign which conforms to the manual and specifications for a uniform system of traffic control devices as used by the Indiana Department of Highways, as amended, that prohibits trucks traveling north on South Madison Avenue from turning right on Main Street. (Ord. No. 85-23, § 1, 5-20-85)

Sec. 8-7 Weight Limits.⁴

(RESERVED)

Sec. 8-8 through 8-14 Reserved for Future Use.

**ARTICLE 3. REGULATION OF VEHICLES AT CITY-OWNED
BUILDINGS AND AT SCHOOL PROPERTY.**

Sec. 8-15 Vehicles at City Building(s).

No person operating a privately-owned vehicle, bicycle or other device used for transporting of persons or property shall use the paved areas owned by the City surrounding the City building(s) as

⁴ I.C., 9-20-18-11, authorizes municipalities to bring civil actions against the owner and operator of any vehicle which is responsible for damage to any public highway.

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a passage way, parking area, or for any other purpose, except when the owner or operator thereof is engaged in the transaction of business relating to the City. (*Code* 1968, § 41.13; *1983 Greenwood Municipal Code*, § 9-4)

Sec. 8-16 School Property Vehicle Regulations.⁵

All state and local traffic regulations will be observed and followed by all people driving on school property. This shall include, but not be limited to, the following specific rules:

- (a) Fifteen (15) miles per hour speed limit shall be observed at all times;
- (b) No person shall drive or park on grassed areas unless directed otherwise by authorized persons;
- (c) Parking shall be in marked spaces only and no parking at yellow curbs, except for school buses and emergency vehicles;
- (d) Operation of an unlicensed vehicle is prohibited;
- (e) All stop, yield and one-way signs shall be observed and followed as provided by law. (*Code* 1968, § 41.17; *1983 Greenwood Municipal Code*, § 9-5)

Sec. 8-17 "Surina Square" Name Designation and "Surina Way" Designation.

- (a) The new Police Station, Fire Station, and Park Community Center site at the southwest corner of Washington and Main Streets in Greenwood, Indiana, shall be named "Surina Square".
- (b) The Board of Public Works and Safety shall pursue changing the name of "Craig Drive" to "Surina Way" in order to have the addresses of the new Police Station and Park Community Center on Surina Way. (Ord. No. 91-8, 7-1-91)

Sec. 8-18 through 8-19 Reserved for Future Use.

ARTICLE 4. PARKING REGULATIONS.

Sec. 8-20 No Parking Zones Generally.⁶

No person shall park a motor vehicle at any time in any of the following areas:

- (a) Within twenty (20) feet from the inside edge of any proposed area, sidewalk, or path approaching or crossing any public highway, street, drive, place or avenue within the City.

⁵ I.C., 9-21-1-3(a)(13), sets forth authority to regulate traffic on school property.

⁶ I.C., 9-21-1-3(a)(1) authorizes the City to regulate parking on streets.

(b) Within twenty (20) feet from the point where any other street or alley intersects with a street.

(c) Within twenty (20) feet from either side of any private driveway intersecting with any street, drive, place or avenue within the City having a paved width of less than twenty-two (22) feet; said twenty-foot no-parking area to be measured from the point where a straight line extended from either edge of said driveway intersects with the curbline.

(d) Within six (6) feet from either side of any private driveway intersecting with any street, drive, place or avenue within the City having a paved width of twenty-two (22) feet or more; said six-foot no-parking area to be measured from the point where a straight line extended from either edge of said driveway intersects with the curbline. (*Code* 1968, § 41.09; *1983 Greenwood Municipal Code*, § 9-21)

(e) In, on or upon any public path or trail, or in, on or upon the area between any public street and any public sidewalk, path or trail. Provided, however, that the area of a drive or driveway between the street and a sidewalk, path or trail is exempt from this regulation. (Ord. No. 06-05, §1, 3-6-06)

Sec. 8-21 Placement of No Parking Signs.⁷

The Greenwood Common Council directs the marking by signs or otherwise of No Parking areas in accordance with the Indiana Manual of Uniform Traffic Control Devices. (Ord. No. 93-1, § 1(b), 2-15-93)

Sec. 8-22 Public Nuisance Violation.

Any vehicle left standing or parked, even for the purposes of loading and unloading merchandise and/or passengers, in violation of No Parking signs or markings is declared a public nuisance. (Ord. No. 90-43, § 1 (e), 8-28-90)

Sec. 8-23 Impoundment of Vehicles Found in Violation.

Notwithstanding any other provision of the *Greenwood Municipal Code* or any amending ordinance, any Police Officer discovering a vehicle parked or left standing as to constitute a public nuisance pursuant to the provisions of this Article may cause the vehicle to be removed to an authorized storage place where it shall be impounded and detained. Impounded vehicles shall be released either upon payment by the owner, operator or authorized representative of same, of the fees charged for impoundment and storage, or upon order of the Chief of Police or upon order of any Court having jurisdiction over the vehicle. (Ord. No. 90-43, § 1(f), 8-28-90)

Sec. 8-24 City Immune From Liability for Towed Vehicles.

The City shall not be liable for any loss or damage which may occur to any vehicle which is removed

⁷ The City has the authority to adopt ordinances regulating the placing and maintenance of traffic-control devices upon highways under their jurisdiction to regulate, warn or guide traffic pursuant to *I.C.*, 9-21-1-3 (a) (2).

pursuant to the provisions of this Article. The wrecker shall indemnify and hold harmless the City, its officers, agents and employees, from any loss, claim, judgment or damages arising from the removal and storage of vehicles pursuant to this Section. The wrecker shall have sole responsibility for any articles of personal property which may be contained in any vehicle at the time of its removal; such articles of personal property shall not be held by the contract wrecker in lieu of the service charges but shall be returned by him or his agents to the owner thereof upon sufficient identification and proof of ownership. The officer directing the removal of a vehicle shall verify what personal property in plain view is contained therein prior to its removal and report such articles to Police Headquarters. (Ord. No. 90-43, § 1(g), 8-28-90)

Sec. 8-25 Notice to Police Department of Towed Vehicle; Releases.

(a) Whenever a motor vehicle has been removed, the wrecker who moved said vehicle shall, within two (2) hours, give or cause to be given notice to the Police Department of the fact of such removal and the reasons therefor and of the manner in which such vehicle may be reclaimed. Any such notice shall also be given to the proprietor of the storage lot or garage to which such vehicle is removed. (Ord. No. 90-43, § 1(h)(1), 8-28-90)

(b) Such notice shall include:

- (1) A description of the vehicle;
- (2) Its license number;
- (3) The date and time of its removal;
- (4) Location from where it was removed;
- (5) Its present location;
- (6) The name and address of its owner and last operator, if known;
- (7) Its final disposition; and
- (8) The reason for its removal. (Ord. No. 90-43, § 1(h)(2), 8-28-90)

(c) Notice is not required in the event the owner or person in charge of such vehicle signs a release from such notice at the scene of the tow. (Ord. No. 90-43, § 1 (h)(3), 8-28-90)

Sec. 8-26 Commercial Vehicles and Trailers Prohibited to Park; Exceptions.

(a) No person shall park any commercial vehicle or trailer on a public street, alleyway, road, highway, sidewalk or street right-of-way.

(b) Subsection (a) shall not be interpreted to prohibit commercial vehicles from temporary loading or unloading where there is a properly-marked loading zone or when there is no place for off-street parking to unload said commercial vehicles.

(c) As used in this Section the term **COMMERCIAL VEHICLE** shall mean any vehicle which exceeds a one and one-half (1-1/2) ton rated weight capacity. (*Code* 1968, § 41.08; *1983 Greenwood Municipal Code*, § 9-22)

Sec. 8-27 Impoundment of Vehicles Having Five or More Unpaid Parking Violations.⁸

(a) Whenever a motor vehicle is parked on the streets or in a City off-street parking lot in violation of this Chapter, and there shall be held by the City five (5) or more unpaid parking violations for such motor vehicle, the Police Department shall cause such vehicle to be removed to a garage or place of storage within the City and the vehicle shall not be released until the owner thereof shall produce to the Police Department proper evidence of ownership and shall pay all unpaid parking violations against the vehicle, together with the cost of impounding the vehicle. (*Code* 1968, § 41.15; *1983 Greenwood Municipal Code*, § 9-24)

(b) Notice provisions set forth in Section 8-26 of this *Code* shall be complied with when such vehicle(s) is towed.

Sec. 8-28 Penalties for Parking Violations.

(a) Any person violating the provisions of this Chapter relating to parking, upon notice of such violation by any Police Officer or other city employee designated as an enforcement officer, shall pay, within forty-eight (48) hours of such notice, to the Violations Clerk of the Ordinance Violations Bureau the sum of Fifteen Dollars (\$15.00) for a first conviction in a calendar year. Written notice left on the windshield of any such motor vehicle in violation shall be considered notice to the owner or operator thereof. Subsequent convictions shall be punished as set forth in Section 2-39. (Ord. No. 86-16, § 1(d), 8-4-86)

(b) Any person violating any other provision of this Chapter shall be guilty of an offense and subject to the penalty provided in Section 1-13 of this *Code*. (*Code* 1968, § 41.16; *1983 Greenwood Municipal Code*, § 9-6(b))

(c) Section 2-38 of this *Code* entitled "Schedule of Ordinances and Civil Penalties" includes "Parking in No Parking Zones" and "Temporary Restrictions or Prohibitions on Parking" among the list of ordinances scheduled for the jurisdiction of the Ordinance Violations Bureau with the stated specific civil penalty of Fifteen Dollars (\$15.00) for the first violation within a calendar year. (Ord. No. 89-4, § 2, 2-20-89; Ord. 94-11, 5-4-94)

Sec. 8-29 Temporary or Emergency Restrictions on Parking.

(a) Parking on City streets and highways under the City's jurisdiction shall be prohibited:

(1) When the Mayor or designee finds, on the basis of falling snow, sleet, or freezing rain, or on the basis of a forecast by the United States Weather Bureau or other weather services

⁸ *I.C.*, 9-30-11-1 through *I.C.*, 9-30-11-8 address "Parking Tickets."

that weather conditions will make it necessary that motor vehicle traffic be expedited and that parking on City streets be prohibited for snow plowing and other purposes, the Mayor shall put into effect a parking prohibition on streets designated as snow emergency routes by declaring such prohibition necessary under the circumstances;

Once in effect, a prohibition under this section shall remain in effect until terminated by announcement of the Mayor or designee;

(2) When the Mayor or designee shall determine that parking on certain streets be prohibited for a period of time to effectuate the cleaning up of debris and the carrying out of repair work to utilities or property;

(3) When the Mayor or designee, after declaring emergencies in situations such as natural disasters or riots, shall determine that motor vehicle traffic be expedited and that parking on City streets be prohibited until further announcement;

(4) When the Mayor or designee deems that it is necessary to prohibit parking during parades, carnivals, marathons, street celebrations or other similar events, to eliminate hazardous traffic conditions or unreasonable burdens on the residents in gaining access to their residences;

(5) In any other situations whereby the Mayor or designee shall determine that no parking be allowed on certain streets temporarily during certain periods, and such prohibitions are reasonable to protect the welfare of the residents. (Ord. 94-11, 5-4-94)

(b) Signs. The Chief of Police, or any other person authorized by the Mayor or the Common Council, shall cause signs to be posted in all areas where parking is prohibited. Signs placed in such areas shall conform to any applicable requirements of the Indiana Manual On Uniform Traffic Control Devices For Streets And Highways and shall be of such character as to readily inform a reasonably observant person of the existence of the rules and regulations imposing the foregoing restrictions. (Ord. 94-11, 5-4-94)

(c) Penalty.

(1) Any person, firm, or corporation violating any provision of this Ordinance shall be fined not less than Fifteen Dollars (\$15.00) nor more than One Hundred Dollars (\$100.00) for each offense, and a separate offense shall be deemed committed on each day during or on which a violation occurs or continues. Each admission or judgment of violation after the third shall be subject to the general violation provisions of the Greenwood Municipal Code, Section 1-13.

(2) Any vehicle parked in violation of the provisions of this ordinance may be towed and impounded, and no person shall recover any vehicle towed pursuant to this section without paying the costs of removal and storage. Any payments made to recover the towed vehicle shall be in addition to any fines charged due to violations of the provisions of this Ordinance.

Sec. 8-30 through 8-44 Reserved for Future Use.

ARTICLE 5. SPEED ZONES.⁹**Sec. 8-45 Maximum Speed Limits.**

(a) The City has had engineering and traffic investigations performed which recommend the change of certain maximum speed limits in urban districts for the reasonable and safe movement of traffic.

(b) The Greenwood Common Council determines and declares the following as *prima facie* reasonable and safe maximum speed limits on the streets and portions of the streets as listed below:

(1) Twenty-Five (25) miles per hour (hereinafter "mph") for the following streets:

(A) Meridian Street from Smith Valley Road to the intersection with Main Street. (Ord. No.86-17, § 1(a)(3), 4-21-86)

(B) Main Street from the west edge of the Conrail Railroad tracks to the City limits. (Ord. No. 86-17, § 1(a)(b), 4-21-86)

(C) All streets of the Brandywine IV Subdivisions, as recorded with the Johnson County Recorder's Office as follows:

Brandywine IV Section One Subdivision, recorded on June 26, 1987 in Plat Book C, Pages 251 and 252, with streets commonly known as Crimson Way and Cypress North;

Brandywine IV Section Two Subdivision, recorded on June 26, 1987 in Plat Book C, Pages 253 and 254, with streets commonly known as Cypress North, Cypress West, Leatherwood Drive, Ironwood Trail, and Ironwood Court;

Brandywine IV Section Three Subdivision, recorded on November 14, 1988 in Plat Book C, Pages 395A and 395B, with streets commonly known as Cypress South, Leatherwood Drive and Ironwood Trail;

Brandywine IV Section Four Subdivision, recorded on March 5, 1992 in Plat Book C, Pages 524A and 524B , with streets commonly known as Cypress West, Cypress South, Royal Oak Court, Dogwood Lane and Lakeside Circle. (Ord. No. 92-56, § 1(a), 11-4-92).

(D) All streets of the **Barton Farms Subdivision**, as recorded with the Johnson County Recorders Office on October 6, 1998, in Plat Book D. pages 150 A and 150 B, with streets commonly known as Stetson Lane, Bridle Court, and Spur Court. (Ord. No. 03-09, § 1, 5-7-03)

⁹ I.C., 9-21-5-6 authorizes local authorities to determine on the basis of engineering and traffic investigations, the maximum speeds which are reasonable and safe.

(E) All streets of the Barton Lakes Subdivisions, as recorded with the Johnson County Recorder's Office as follows:

Barton Lakes Section One Subdivision, recorded on November 23, 1998, in Plat Book D, Pages 163A and 163B, with streets commonly known as Blue Meadow Drive, Long Lake Drive, Rocky Meadow Drive, Blue Lake Drive and Farm Meadow Drive;

Barton Lakes Section Two Subdivision, recorded on December 1, 1999, in Plat Book D, Pages 253A and 253B, with streets commonly known as Long Lake Drive and Farm Meadow Drive;

Barton Lakes Section Three Subdivision, recorded on April 18, 2001, in Plat Book D, Pages 355A and 355B, with streets commonly known as Blue Lake Drive, Locust Grove Lane, Blue Meadow Drive, Cloverfield Lane, and Day Break Drive;

Barton Lakes Section Four Subdivision, recorded on August 8, 2001 in Plat Book D, Pages 371A and 371B, with streets commonly known as Locust Grove Lane, Blue Meadow Drive, Cloverfield Lane, and Day Break Drive. (Ord No. 03-37, § 1, 9-15-03)

(F) St. Charles Place of the Ashton Park Subdivision, as recorded with the Johnson County Recorder's Office as follows: **Ashton Parke Subdivision**, recorded on October 10, 1995, in Plat Book C, Pages 730 A and B. (Ord. No. 03-44, § 1, 11-5-03)

(G) St. Charles Place of the Featherstone Section One Subdivision, as recorded with the Johnson County Recorder's Office as follows: **Featherstone Section One Subdivision**, recorded on December 14, 1999, in Plat Book D, Pages 258A, B, C, & D. (Ord. No. 03-44, § 2, 11-5-03)

(H) **Declaration Drive of the Summerfield Village Subdivision, Section 3** as recorded with the Johnson County Recorder's Office as follows: Summerfield Village Subdivision, Section 3 recorded on January 18, 2000, in Plat Book D Pages 267 A and B. (Ord. No. 05-21, § 1, 11-7-05)

(2) Thirty (30) mph for the following streets:

(A) Main Street from the west edge of the intersection with U.S. 31 to a point 1,886 feet west of the west edge of Howard Road, approximately the Old Cooper Farm House. (Ord. No. 86-17, § 1(a)(5), 4-21-86) (See: § 8-49(b)(1) of this *Code*)

(B) Smith Valley Road from the east edge of the intersection with Meridian Street to the east edge of the intersection with Averitt Road except that from the east edge of the Post Office property to the east edge of the intersection with Averitt Road during school the maximum speed limit shall be Twenty-Five (25) mph. (Ord. No. 86-17, § 1(a)(8), 4-21-86)

(C) Madison Avenue from the northern edge of the football field to the intersection with Main Street. (Ord. No. 87-37, § 2, 7-20-87)

(D) Reserved.

(E) Reserved.

(F) Reserved.

(3) Thirty-Five (35) mph for the following streets:

(A) Main Street from the east edge of the Conrail Railroad tracks to the City limits. (Ord. No. 86-17, § 1(7), 4-21-86)

(B) Fry Road from the west edge of the City limits of Greenwood, to the intersection with Madison Avenue. (Ord. No. 86-17, § 1(10), 4-21-86)

(C) Reserved.

(D) Reserved.

(E) Reserved.

(4) Forty (40) mph for the following streets:

(A) Main Street to a point 1,886 feet west of Howard Road, approximately the Old Cooper Farm House. (Ord. No. 86-17, § 1(4), 4-21-86) (See: § 8-47 (b)(1) of this *Code*)

(B) Smith Valley Road from the east edge of the intersection with Averitt Road west to the City limits. (Ord. No. 86-17, § 1(9), 4-21-86)

(C) Madison Avenue from the northern edge of the intersection with Fry Road to the intersection with County Line Road. (Ord. No. 88-15, § 1(a), (§ 9-3E), 4-4-88)

(D) Reserved.

(E) Reserved.

(F) Reserved.

(c) All streets and portions of streets not specifically mentioned herein shall have as the maximum speed limit those provided by state law.

(d) The Greenwood Common Council directs the erection of speed limit signs in accordance with subsection (b) herein in appropriate numbers and locations. (Ord. No. 87-37, § 3, 7-20-87)

(5) Twenty (20) mph for the following streets:

(A) All streets of the Reserve at Timbers Edge Subdivision, as recorded with the Johnson County Recorder's Office as follows:

Reserve at Timbers Edge Subdivision, Phase One, recorded on October 14, 2003, in Plat Book D, Pages 473 A-F, with streets commonly known as Woodbridge Drive, Laurelwood Lane, Ravenwood Drive, and Deerbrook Trail;

Reserve at Timbers Edge Subdivision, Phase One, Scrivener's Error, recorded on February 4, 2005 as Instrument Number 2005-002812, correcting the name of the street

labeled “Woodbridge Drive” on the plat to “Timbers Edge Crossing”; and

Reserve at Timbers Edge Subdivision, Phase Two, recorded on August 31, 2004, in Plat Book D, Pages 530 A and B, with a street commonly known as Gazebo Way.
(Ord No. 05-03, § 1, 3-7-2005)

Sec. 8-46 through Sec. 8-54 Reserved for Future Use.

ARTICLE 6. MISCELLANEOUS MOTOR VEHICLE REGULATIONS.

Sec. 8-55 No Right Turn on Red Designations.

(a) The Greenwood Common Council deems it necessary to protect the public’s safety to prohibit the right turn on red of all vehicles at the following locations:

(1) No person shall permit a vehicle, when traveling south on Madison Avenue, to turn right onto Smith Valley Road while the traffic signal is red in the City of Greenwood. (Ord No. 92-22, § 1(a), 6-1-92).

(2) Reserved.

(3) Reserved.

(4) Reserved.

(5) Reserved.

(6) Reserved.

(b) The City of Greenwood shall post signs which conform to the manual and specifications for a uniform system of traffic control devices as used by the Indiana Department of Highways, as amended. (Ord. No. 92-22, § 1(b), 6-1-92).

(c) Penalty: Any person violating the provisions of this Section upon notice of such violation by any Police Officer shall pay to the Ordinance Violation Bureau fifteen dollars (\$15.00) for the first conviction in a calendar year for first offenses. Written notice left on the windshield of any such vehicle shall be considered notice to the owner or operator thereof.

Sec. 8-56 U-Turns.¹⁰

Reserved.

¹⁰ I.C., 9-21-8-19, addresses U-Turns.

§ 8-57 TRAFFIC AND PARKING REGULATIONS § 8-74

Sec. 8-57 One-Way Streets and Alleys.¹¹

Reserved.

Sec. 8-58 Obstruction of Railroad-Highway Grade Crossings.¹²

Reserved.

Sec. 8-59 Pedestrian Crosswalks.¹³

Reserved.

Sec. 8-60 Angle Parking.¹⁴

Reserved.

Sec. 8-61 Disabled Parking.¹⁵

Reserved.

Sec. 8-62 through 8-74 Reserved for Future Use.

¹¹ *I.C.*, 9-21-8-9, addresses one-way traffic.

¹² *I.C.*, 8-6-7.5-1 through *I.C.*, 8-6-7.5-3, address the obstruction of a railroad-highway grade crossing and places ten (10) minute maximums thereon.

¹³ *I.C.*, 9-21-8-37 addresses pedestrian regulations.

¹⁴ *I.C.*, 9-21-16-7, addresses parallel and angle parking.

¹⁵ *I.C.*, 5-16-9-1 through *I.C.*, 5-16-9-10, address "Parking Facilities for Physically Handicapped Persons."

ARTICLE 7. BICYCLES.¹⁷**Division I. Generally.****Sec. 8-75 Carrying of Passengers.**¹⁸

No person operating a bicycle shall carry another person on the bicycle unless the bicycle was manufactured with a separate handle bar and seat provided for such person. (*Code* 1968, § 34.05(a); *1983 Greenwood Municipal Code*, § 9-36)

Sec. 8-76 Operation on Sidewalks.

No bicycle shall be operated on any sidewalk in the business portion of the City. (*Code* 1968, § 34.05(b); *1983 Greenwood Municipal Code*, § 9-37)

Sec. 8-77 Parking of Bicycles Restricted.

No person shall park any bicycle along buildings in a manner as to interfere with pedestrians, or along roadways where they may interfere with traffic, or with persons getting into, or out of, motor vehicles. (*Code* 1968, § 34.05(c); *1983 Greenwood Municipal Code*, § 9-38)

Sec. 8-78 Turning Movements.

The operator of a bicycle on a roadway, when making a right turn, shall follow the right-hand edge of the roadway. The operator of a bicycle on a roadway making a left turn shall approach the center of the traffic lane nearest the center of the roadway. (*Code* 1968, § 34.05(d); *1983 Greenwood Municipal Code*, § 9-39)

Sec. 8-79 Signals.

No operator of a bicycle shall start, slow down, stop or attempt to turn without first indicating such movement as provided by law. (*Code* 1968, § 34.05(e); *1983 Greenwood Municipal Code*, § 9-40)

Sec. 8-80 Lights.

No person shall operate a bicycle in the nighttime without the lights required by Section 8-89 of this *Code*. (*Code* 1968, § 34.05(f); *1983 Greenwood Municipal Code*, § 9-41)

Sec. 8-81 Inspections by Police Department.

Any member of the Police Department is authorized to inspect any bicycle, at any reasonable time, for the purpose of noting the license plate, license number, or serial number, or determining the

¹⁷ *I.C.*, 9-21-1-3(a) and 9-21-11-1 *et seq.*, address bicycles.

¹⁸ *I.C.*, 9-21-11-3, addresses carrying of passengers.

mechanical condition of the bicycle. (*Code* 1968, § 34.06; *1983 Greenwood Municipal Code*, § 9-42)

Sec. 8-82 Penalty.

Any person violating any provision of this Article shall be subject to a penalty of One Dollar (\$1.00) for each violation to be paid as directed by the Judge of the City Court. In addition to such penalty, the Police Department may impound and retain the possession of any bicycle operated in violation of this Chapter and retain possession until the violation has been corrected, a license has been properly issued, and the penalty paid. (*Code* 1968, § 34.07; *1983 Greenwood Municipal Code*, § 9-43)

Sec. 8-83 through 8-87 Reserved for Future Use.

Division II. License.

Sec. 8-88 Bicycle License Required.

No person shall operate or use a bicycle propelled in whole or in part by muscular power upon any street, alley, or other public way of the City without a license therefor. (*Code* 1968, § 34.01(a); *1983 Greenwood Municipal Code*, § 9-56)

Sec. 8-89 Application and Issuance.

(a) The Police Department is directed to issue a bicycle license, upon written application therefor and upon the satisfactory completion of an inspection of the bicycle. The license shall be a permanent license to operate the bicycle, and shall remain affixed to the bicycle until it is either sold by the owner or until the bicycle is no longer being used as a bicycle, at which time the license shall be returned to the Police Department for disposition.

(b) The Police Department shall procure a sufficient number of metallic license plates, together with means for affixing the plates to bicycles, and such licenses shall be numbered serially.

(c) Prior to the issuance of any license for a bicycle, the applicant shall submit the bicycle for inspection by the Police Department. No license shall be issued for any bicycle which is not safe for use upon the streets of the City by reason of deficient brakes, tires, or other physical defects. Any bicycle to be operated between thirty (30) minutes before sundown and thirty (30) minutes after sunrise shall be equipped with a light of sufficient brilliance to be seen during said period from a distance of one hundred (100) feet from the front thereof and reflectors sufficient to enable the bicycle to be seen during said period from a distance of one hundred (100) feet from the rear thereof. (*Code* 1968, §§ 34.01(b), (c), 34.03(a); *1983 Greenwood Municipal Code*, § 9-57)

Sec. 8-90 Fee; Transfer.

No fee shall be charged for the issuance of a bicycle license. A registration fee of One Dollar (\$1.00) shall be charged each applicant at the time the application is submitted. In the event of a sale or other disposition of a bicycle, at the option of the Police Department, the license can be reissued to the applicant or a new license issued depending upon what the Police Department finds to be in the best interest of the City in maintaining the bicycle licensing program. (*Code* 1968, § 34.04; *1983 Greenwood Municipal Code*, § 9-58)

Sec. 8-91 Records Maintained by Police Department.

The Police Department shall maintain permanent records of each application filed and each bicycle license issued, showing at least the following information:

(a) The name and address of the applicant or licensee;

(b) The description of the bicycle involved;

(c) The frame number thereof;

(d) The number of the metallic plate issued, if any; and

(e) Such additional information as is deemed necessary to carry out the purposes of this Article. (*Code* 1968, § 34.02; *1983 Greenwood Municipal Code*, § 9-59)

Sec. 8-92 Revocation of License.

A bicycle license may be revoked at any time if compliance with the minimum safety requirements prescribed by the Police Department at the time of such inspection is not thereafter maintained. (*Code* 1968, § 34.03(b); *1983 Greenwood Municipal Code*, § 9-60)

Sec. 8-93 through 8-100 Reserved for Future Use.**ARTICLE 8. OPEN ALCOHOLIC BEVERAGE CONTAINERS
PROHIBITED IN MOTOR VEHICLES.****Sec. 8-101 Purpose.**

The purpose of this Article is to promote the health, safety, and general welfare of the community by prohibiting open alcoholic beverage containers in motor vehicles being operated on public highways and streets within corporate limits of the City of Greenwood. (Ord. No. 92-23, § 1 (-61), 6-1-92)

Sec. 8-102 Definitions.

The following terms, when used in this Article, have the meanings set forth below:

ALCOHOLIC BEVERAGE shall have the meaning set forth in *Indiana Code* 7.1-1-3-5, as amended;

CONTAINER shall have the meaning set forth in *Indiana Code* 7.1-1-3-13, as amended;

MOTOR VEHICLE shall have the meaning set forth in *Indiana Code* 9-13-2-105, as amended, except that "Motor Vehicle" as used in this Ordinance shall not include recreational vehicles, as defined in *Indiana Code* 9-13-2-150, as amended, and any chartered passenger vehicle licensed to operate within the State of Indiana which is designed to transport more than ten (10) passengers including the operator. (Ord. No. 92-23, § 1 (9-62), 6-1-92)

OPERATOR shall have the meaning set forth in *Indiana Code* 9-13-2-118, as amended; provided that the operator, if subjected to a blood alcohol test, has less than four-hundredths percent (0.04%) by weight of alcohol in the blood. (Ord. No. 95-19, § 1, 7-17-95)

OWNER shall have the meaning set forth in *Indiana Code* 9-13-2-121, as amended. (Ord. No. 95-19, § 1, 7-17-95)

PASSENGER shall mean any person in a vehicle who is not operating the vehicle. (Ord. No. 95-19, § 1, 7-17-95)

Sec. 8-103 Possession or Consumption Prohibited.

A passenger in a motor vehicle or an operator of a motor vehicle who knowingly:

- (a) Consumes an alcoholic beverage; or
- (b) Possesses a container:
 - (1) that has been opened; or
 - (2) that has a broken seal; or
 - (3) from which some of the contents have been removed;

while in a motor vehicle that is being operated upon a public street or highway within the City's corporate limits commits a violation of this Article. (Ord. No. 92-23, § 2 (9-63), 6-1-92; Ord. No. 95-19, § 2, 7-17-95)

Sec. 8-104 Operator or Owner of Motor Vehicle in Violation.

(a) The operator or owner of a motor vehicle who, while the motor vehicle is in operation upon a public street or highway, knowingly keeps or allows to be kept in the area of the motor vehicle that is accessible to the operator or a passenger a container:

- (1) that has been opened; or
- (2) that has a broken seal; or
- (3) from which some of the contents have been removed;

commits a violation of this ordinance.

(b) Notwithstanding the definition of "Motor Vehicle" above, the operator of a recreational vehicle or chartered passenger vehicle licensed to operate within the State of Indiana, who, while the motor vehicle is in operation, knowingly consumes an alcoholic beverage or keeps or allows to be kept in the area of the recreational vehicle or chartered passenger vehicle that is accessible to the operator a container:

- (1) that has been opened; or
- (2) that has a broken seal; or
- (3) from which some of the contents have been removed;

commits a violation of this Article. (Ord. No. 92-23, § 1 (9-64), 6-1-92)

Sec. 8-105 Exception.

Notwithstanding any other provision in this Article, open alcoholic containers that are left over from any type of outing may be placed in the motor vehicle trunk, or if there is no trunk, the container must be placed farthest to the back of the motor vehicle and put into a closed box, bag or container, out of the reach of the driver or passengers, so that they are not able to consume the alcoholic beverage. (Ord. No. 92-33, § 1 (9-65), 6-1-92)

Sec. 8-106 Container Recycling Defense.

It is a defense to any violation of this Article that the container is in the motor vehicle for the purpose of recycling and not for consumption while in the vehicle. The person charged with violating this Article shall bear the burden of establishing the fact that the open container was in the vehicle for the purpose of recycling. (Ord. No. 92-33, § 1 (9-66), 6-1-92)

Sec. 8-107 Penalty.

The first judgment of violation of the provisions of this Article entered against a person within a calendar year shall subject the person to a fine of Thirty-Six Dollars and Fifty Cents (\$36.50), which amount may automatically be adjusted downward so that the total of the fines and costs for a first judgment of violation does not exceed One Hundred Dollars (\$100.00), but in no event shall the fine for a first judgment of violation be less than Twenty-Five Dollars (\$25.00) without further action by the Greenwood Common Council. Each subsequent judgment of violation of the provisions of this Article within a calendar year against the same person shall subject the person to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00). (Ord. No. 92-46, § 1 (9-67), 9-9-92; Ord. No. 95-19, § 3, 7-17-95)

Effective August 1, 1995, the first judgment of violation of the provisions of this Article entered against a person within a calendar year shall subject the person to a fine of not less than Forty Dollars (\$40.00) nor more than Sixty-One Dollars and Fifty Cents (\$61.50), which amount may automatically be adjusted downward so that the total of the fines and costs for a first judgment of violation does not exceed One Hundred Twenty-Five Dollars (\$125.00), but in no event shall the fine for a first judgment of violation be less than Forty Dollars (\$40.00) without further action by the Greenwood Common Council. Each subsequent judgment of violation of the provisions of this Article within a calendar year against the same person shall subject the person to a penalty of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00). (Ord. No. 95-19, § 4, 7-17-95)

EXHIBIT A

Sec. 8-108 Signs.

Signs giving notice of this prohibition of open alcoholic beverage containers shall be posted at all locations deemed appropriate by the Chief of Police and the City Engineer or their designees. Said signs shall be in the form required by the Uniform Manual On Traffic Control Devices, as amended and supplemented. (Ord. No. 92-33, § 1 (9-67), 6-1-92)

Sec. 8-109 through Sec. 8-114 Reserved for Future Use.

****Pages 587 through 610 Reserved for Future Use.****